

AMENDED MINUTES OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE
Tuesday, July 6, 2004 – 9:00 a.m. – Room W025 House Building

Members Present:

Sen. Howard A. Stephenson, Senate Chair
Rep. David Ure, House Chair
Sen. Michael G. Waddoups
Rep. Greg J. Curtis
Rep. James R. Gowans

Members Absent:

Sen. Mike Dmitrich
Sen. Ed Mayne
President Al Mansell
Rep. Judy A. Buffmire

Staff Present:

Mr. Arthur L. Hunsaker, Policy Analyst
Ms. Susan Creager Allred, Associate General Counsel
Ms. Tracey Fredman, Legislative Secretary

Note: A list of others present and a copy of materials can be found at www.le.utah.gov or by contacting the committee secretary at 538-1032. A recording of the meeting may also be available from the Office of Legislative Research and General Counsel.

1. Committee Business

Chair Stephenson called the meeting to order at 9:09 a.m.

2. Rulemaking by Division of Emergency Services and Homeland Security

Rep. Ure introduced the issue and inquired about the Legislature's involvement with homeland security within the state. He discussed the balance between the need for security and the potential need for rulemaking, and suggested that there may be a need for exemptions from the Administrative Rulemaking Act for some functions carried out by DES (the Division of Emergency Services and Homeland Security).

Mr. Rick Wyss, Director, Administrative Services Division, Department of Public Safety, explained that prior to 2002 the Division of Emergency Services and Homeland Security was known as the Division of Comprehensive Emergency Management. He said a division rule on search and rescue is the only rule authorized by statute.

Ms. Allred said that there are a number of options open to the Legislature if it wants to be more involved in homeland security issues.

Rep. Ure proposed that in the absence of a quorum, the chairs draft a letter to the Speaker of the House and President of the Senate suggesting that a small committee consisting of the chairs of the Administrative Rules Review Committee and the Division of Emergency Services and Homeland Security representatives meet to discuss possible draft legislation which would address legislative involvement in homeland security issues.

Sen. Stephenson spoke in favor of the proposal.

3. Committee Business

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Rep. Ure introduced Mr. Ken Hansen, Director, Division of Administrative Rules, who discussed Criteria for Emergency Rulemaking.

Future committee meeting dates were set for August 3 and August 24 at 9:00 a.m.

4. Other Items / Adjourn

Chair Stephenson ruled the meeting adjourned at 10:30 a.m.